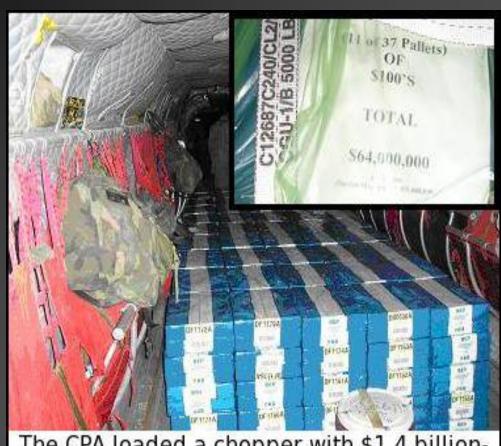
WAR ZONE INVESTIGATIONS

David Warner Mark W. Pletcher

The Problem



The CPA loaded a chopper with \$1.4 billionit never arrived at the bank in Irbil, Iraq

The Result



Office of International Affairs

- United States Central Authority
- Advises Law Enforcement Officials
- Prepares, presents, and executes treaty and non-treaty (letters rogatory and letters of request) requests for assistance
- Provides guidance on fugitive apprehension and return and extraterritorial operations

Weaknesses of International Criminal Conspiracies

- Formation
- Communication
- Consideration
- Enforcement

Formation

	. LAW ENFORCEMENT SENSITIVE
*****	0020-02-CES459-7
From:	
Sent:	Tuesday, September 21, 2004 10:41 AM
To:	
* Subject	t; Fwd: Urgent
Your price	ase send me three invoices one in your name, one in mine and invent another. retail plus 60% second 80 and third100. Make sure your prices are the lowest so you can get the tender, urgently by tonight.

Communication

- Electronic Communications Privacy Act
 - 18 U.S.C. 2703
 - Preservation Letter
 - Subpoena
 - Court Order
 - Search Warrant

Foreign-Located Information or Evidence

- Cooperative Framework
- Alternative Source of Obligation
 - Multilateral Instruments
 - UN Security Council Resolutions
- Reciprocity or Domestic Law
- Embassy Is Not U.S. Soil

Multilateral Instruments

- MLATs/Letters Rogatory/Request
- UN Convention Against Corruption
- UN Convention Against Transnational Organized Crime
- UN Convention for the Suppression of Terrorist Financing

UNCAC

- Article 46(1): Parties shall afford one another "the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to offences covered by this Convention."
- Articles 15 through 23, covered offenses include bribery, embezzlement, and money laundering.
- Articles 46(3)(f) identifies assistance to include "[p]roviding originals or certified copies of relevant documents and records, including government, bank, financial, corporate or business records."
- Article 46(8): "States Parties shall not decline to render mutual legal assistance pursuant to this article on the ground of bank secrecy."

Security Council Resolutions

- "The appropriate authorities designated to execute this request can be assured that the judicial authorities of the United States are authorized to assist foreign governments and tribunals pursuant to a similar request from [Country].
- **28 U.S.C.** § 1782

Domestic Sources of Financial Records

- FinCen/Credit Reporting Services
- FedWire/CHIPS
- Bank Subpoenas
- Egmont Group

Unilateral International Measures

- Failed or Weak State
- Unable or Unwilling Cooperator
- Class and Location of Records
 - Bank of Nova Scotia (BNS) Subpoena
 - Patriot Act Subpoena
 - Consent Directives
 - Voluntary Witness

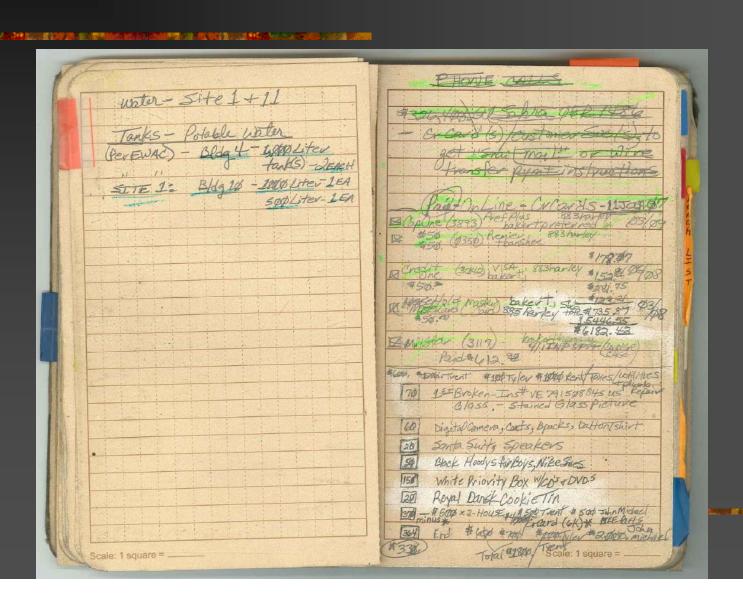
Bank of Nova Scotia

- Records Located Overseas
- U.S. Branch Office
- Clearances/Concurrences
- OIA Analysis/Recommendation
- State Department Notification

Patriot Act Subpoena

- Administrative Subpoena Related to Correspondent Account
- Infrequently Employed
- More Clearances/Concurrences
- Service and Notice
- Tool for Negotiation

Consideration: Cash in the Mail



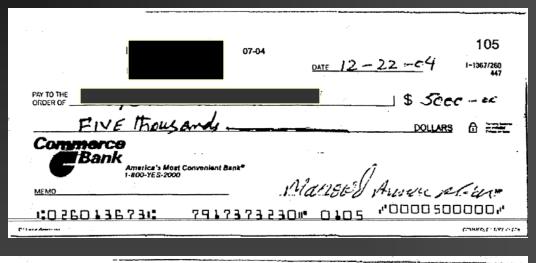
Consideration: Cash in the Mail



Consideration: Direct Cash Deposits

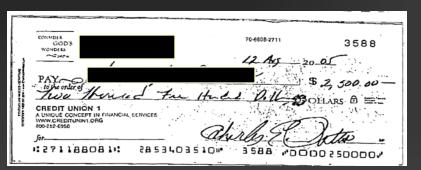
Balance S	•		D	Charles and albert	Fartan	
		ginning selance	Deposits and other additions	Checks and other deductions	Ending balance	
	5	97.18	37,706.07	38,301.00	2.25	
Interest S	ummary					As of 03/31, a total of \$2.75 in interest was
	Annual Perce Yield Earned (A		Number of days in interest period	Average collected balance for APYE	Interest Earned this period	earned this year.
		0.20%	31	11,379.09	1.92	
Deposits	and Other Ad	ditions				There were 19 Deposits and Other Additions
Date	Amount	Description	1			totaling \$37,706.07 .
03/02	1,674.00		Reference No. 024			
03/03	1,206.15	Deposit	Reference No. 027	7649129 🗶		
03/10	1,700.00	Branch	Deposit Tel 03	00041002 0095		
03/12	1,600.00	Branch	Deposit Tel 03	00041001 0101		
03/15	2,000.00	Telepho	ne Transfer From	0000009009479768		
03/15	2,200.00	Branch	Deposit Tel 03	00045027 0097		
03/17	1,900.00	Branch		00041002 0100		
03/18	2,458.00		Reference No. 025			
03/19	100.00	Twh Aut	to Transfer From	9009479768		
03/19	3,000.00	Branch		00045002 0221		
03/22	3,100.00	Branch	Deposit Tel 03	00045027 0252		
03/22	2,600.00	Branch	Deposit Tel 03	00045027 0167		
03/23	2,900.00	Branch I	Deposit Tel 03	00040508 0006		
03/24	1,800.00	Branch i	Deposit Tel 03	00045026 0031		
03/30	6,000.00	Branch I	- op - on	00041002 0245		
03/30	1,258.00	Branch I	a openion	00045026 0068		
03/31	1,500.00	Telepho	ne Transfer From	0000009009479768		
03/31	708.00	Branch !	Deposit Tel 03	00040502 0096		
03/31	1.92	interest	Payment			
Online an	d Electronic E	Banking	Deductions			There were 4 Online or Electronic Banking
Date	Amount	Description				Deductions totaling \$3,801.00 .
03/08	1,400.00	Telepho	ne Transfer To 0	000009009479768		
03/10	700.00	Telepho	ne Transfer To 0	000009009479768		
03/15	1.00	Telepho	ne Transfer To 0	000009009479768		
03/17	1.700.00	Tolopho	ne Transfer To 0	000009009479768		

Consideration: Cash to a Shill

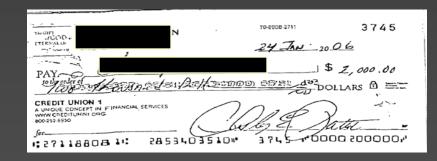


				AND DESCRIPTION OF THE PERSON	-
		07-04	DATE 12 -	-22=4	119 1-1367/260 447
PAY TO THE ORDER OF	thousand 7	our he	udad	\$ 340	6 – 64 A 222
Commerce Bank	8				U 54554
MEMO			Man	amien	**
1:025013	5734 7917	1 7 <u>3 2 ዓ</u> ም#	.,	.''000034	00001.
1 *1 may about 14.					(constitution)

Consideration: Cash to a Shill

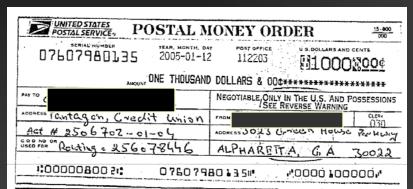


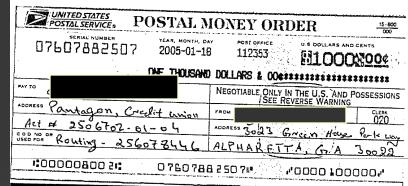






Consideration: Money Orders





POSTAL M. POSTAL M.	ONEY ORDER 15-800 000
07606184861 2005-01-18	
THOUSAND	DOLLARS & 00c**********************************
PAY 10	NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS
ADDRESS Pantagon Credit union	FROM CLERA
Act # 2506702 - 01-04	MODRESS 30123 Graces House Briking
USED FOR Routing . 256078446	ALPHARETTA GA 30022
1:00000800021: 0760616	34861" "0000 100000"

The state of the s	MONEY ORDER 15-800
07608379825 2005-01-	
THOUSA	VD DOLLARS & DOCK ************************************
PAY TO	NEGOTIABLE, ONLY IN THE U.S. AND POSSESSIONS
MODRESS Pantagon, Credit union	FROM
Act # 2506702 -01-04	ADDRESS 13 06- Athey Road mobile
5500 Mouring - 25607 8446	ALABAMA 36608
1:0000080001: 076083	798258

Consideration: Money Orders

Pentagon Federal Credit Union

Distinguished Members, Proven Service³
Box 1432, Alexandria, Virginia 22313-2032 www.PenFed.org

CONSOLIDATED STATEMENT

Prepared for Member Member Number Statement Period

01/06/2005 THRU 02/06/2005

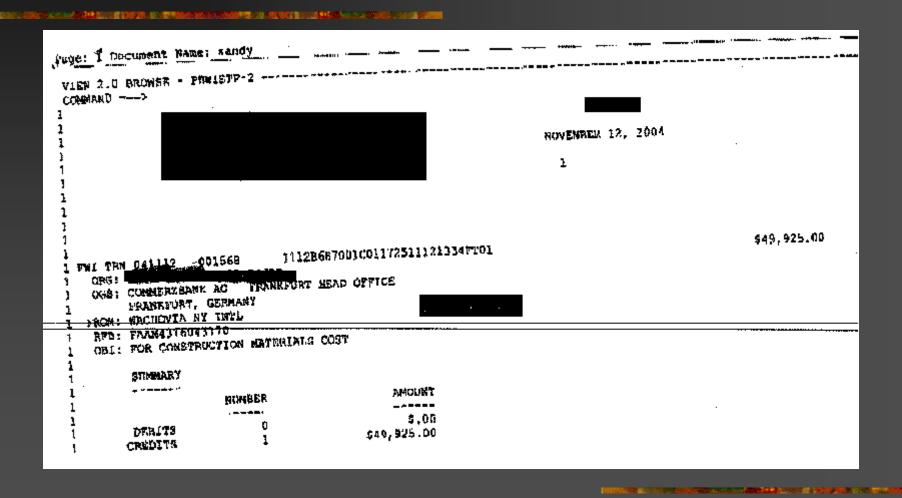
REGULAR	SHARE ACCOUNT		Account N	umber	
Date	Description		Shares Paid in or Withdrawn	Other Charges	Share Balance
01/21/05 01/21/05 01/21/05	PREVIOUS BALANCE MATE DEPOSIT MATE DEPOSIT MATE DEPOSIT NET TELLER TRANSFER DR WERE TRANSFER DEPOSIT		7-000-00 7-000-00 -7,000.00 4-975-00		4,181.93 P1,181.93 P8,181.93 11,181.93
	PREAUTHORIZED DEPOSIT DEAS-IN IND. INARMY ALLT		800.00		16.956.93
	ATM WITHORAWAL FEE PENTECLER WITHORAWAL AFM 9:09-3322 SCHOPIELD B WANTAWA	ні	-1.50 -501-75	-1.50	16,955.43 16,453.68
ANNUAL F	DIVIDEND PERCENTAGE YIELD EARNED: 1.00% based of PERCENTAGE YIELD (APY): 1.00% JANUARY	on 31 d			16,462.37

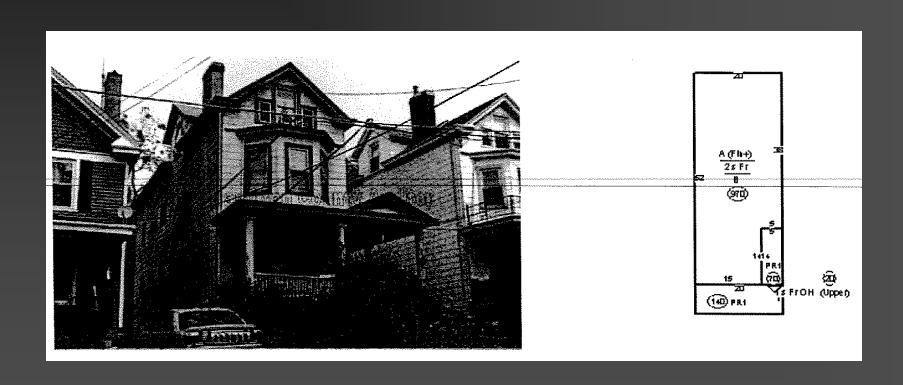
Consideration: Direct Wire Deposits

```
Value Date: 08/18/2005
                               (UBS-FINSVC RMA)
Bankaccount:
                                                               Credit Party (Client):
                140,975.00
Wire: 000062 PW Book Date: 08/18/2005
Credit Type: CREDIT TRANSFER
                                Type: 1 Multi7 N
PW Client/GL. KX 36268
                                                                                Code: IN
Status: JOURNALED
Ordering Customer (Tag 50):
      23115370101
 Ordering Institution (Tag 52D):
    /400204306003
   NATL BK OF KUWAIT
                                                            Bankoccount:
   P.O. BOX 95
                                                                        29,975.00
                                                                                                         Credit Party (Client):
                                                            Wire: 800124 PW Book Date: 18/27/2005
    KUWAIT
 Details of Payment (Tag 70):
                                                            Credit Type: CREDIT TRANSPER
pw Client/GL. KX 36268
                                                                                  Type: 1 Multi7 N
    /RFB/S01/047/36415/05/
  Final Beneficiary (Tag 59):
                                                                                                  ......
                                                            Status: Journaled
                                                                 ......
                                                            Ordering Customer (Teg 60):
                                                              /0473562420110
  Information for Beneficiary (Tag 72):
                                                              CUMATT
                                                            Ordering Institution (Tag 52D):
    /INS/NATIONAL BANK OF KUMAITNY
                                                              HATL SK OF EURALT
P.O. HOE 93
    //10171
    /REC/RCVD VIA FED, IMAD
     //0818B1Q8341C00002208180802FT01
                                                            Details of Payment (Teg 70):
/8FB/801/047/37084/05/
     /BNF/LESS CHARGES : USD 25.00
                                                             Final Sensiticiary (Yag 59):
                                                             Information for Beneficiary (Tag 72):
/INS/SATIONAL BANK OF EUWAITSY
        Wire Status
                                                               /REC/ROYD VIA FED. 18AD
//10278108141C000105182708038T01
       Status Description
                                                               /HRY/1889 CHARDES : USD 25.00
                                       050818014483
    1) 11 PBK PEND BOOKING
                                       0819B3Q8341C000022
                                                             ----------
                                                             ZJ4N
    2) 21 IBK INITIALLY BOOKED
                                                             Wire Status
                                       CMD102FC
    3) 41 APP APPROVED
                                                                Status Description
     4) 85 JRN JOURNALED
                                                                                                       10/21/2005 03:43:43
                                                                                       051027011063

    11 PEK PERD BOOKING

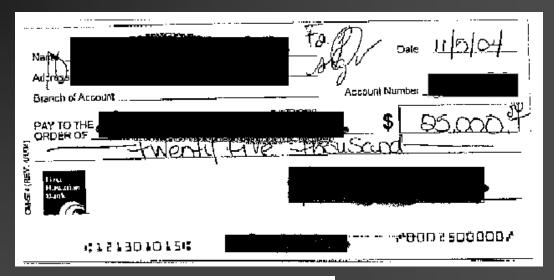
                                                                                       102781003410000105
                                                                                                        10/27/2005 49:56:51
                                                                21 ISK INITIALLY BOOKED
                                                                                       CH0102MW
                                                                                                        10/27/2005
                                                                                       CM010278
                                                              1) 41 APP ADDROVED
4) 86 JES GOURSALED
                                                                                                        10/27/2005 19:34:20
```





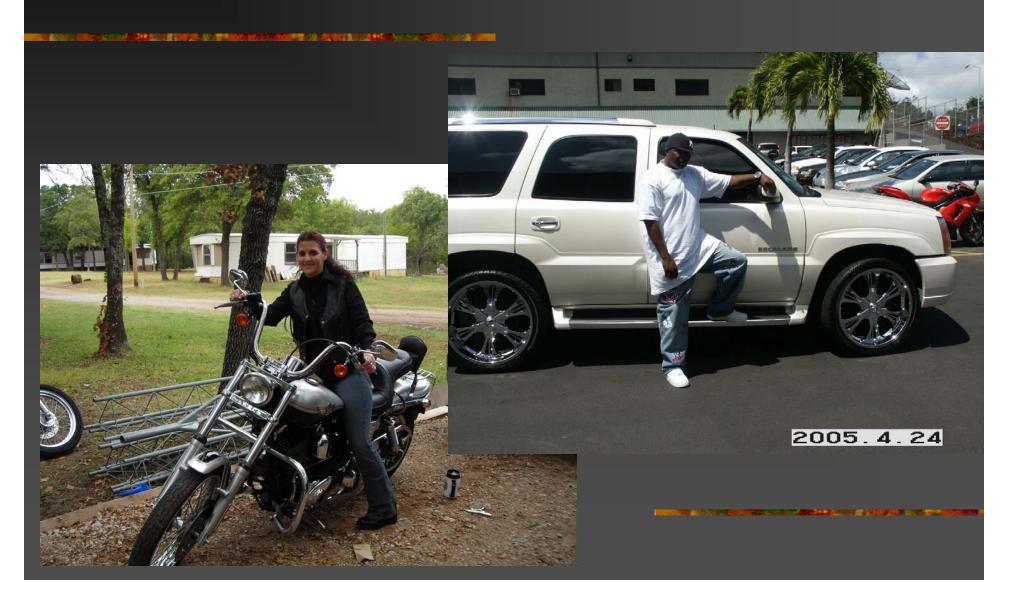
Okay this will be taken care of today, inshallah.	
Okay with love	
Hello Bank Name: First hawaiian bank Branch: Pearl city	
Company name: Account #: Routing #:	
I need you to send 50K from the money assad send to something from this company. Thanks	account to this account. We are purchasing

Posting Date	Transaction Description	Credit	
09/03/04	DIRECT DEPOSIT TOTALCHECK TCK_SETL 090304	62.50	000014854D
09/07/04	DIRECT DEPOSIT MERCHANT SERVICE REGDEPOSIT 090304	486.85	000011598D
09/13/04	DIRECT DEPOSIT MERCHANT SERVICE REGDEPOSIT 091104	54.96	000015801D
09/13/04	DIRECT DEPOSIT MERCHANT SERVICE REGDEPOSIT 091004	56.22	000015801D
09/17/04	DIRECT DEPOSIT MERCHANT SERVICE REGDEPOSIT 091604	204.71	000019081D
09/20/04	DIRECT DEPOSIT MERCHANT SERVICE REGDEPOSIT 091904	117.86	000018369D
09/20/04	DIRECT DEPOSIT MERCHANT SERVICE REGDEPOSIT 091804	121.68	000018369D
09/20/04	DIRECT DEPOSIT AMERICAN EXPRESS SETTLEMENT 092004	40.32	000018369D
09/27/04	WIRE TRANSFER CREDIT 040927001896	50,000.00	009079655D



OFFICIAL BANK CHECK	t×TF: 02/04/2006	0710516 7 🚟
Peerl City Branch PAY ***TWEETY FORIGITHOUSARD DOLLARS AND OD TOTTIE CHIDER OF ***********************************		\$ \$24,000.60
Piest Howassen Bank 1213 FO Sow 9825 Handelet III 90907-93-5 Payeta Proopin Rock of the Year October Count THE BACK OF SHE 100 Mayor, COUNT		

Items of Value: Vehicles



Items of Value: Computers



Other Records

- Hotel, Telephone, Property, Vital Records
 - 18 U.S.C. § 3505
 - Hague Convention on the Abolition of Legalization of Foreign Public Documents
 - 28 U.S.C. § 1746

Iraq

- Sui generis
- Official Records Not a party to Hague Convention on Abolition of Legalization of Foreign Public Documents
- Business records 18 U.S.C. 3505
- Search Warrants -- On base, FOBs, Off base
- Serving Subpoenas
- Interviews
- Arrests and Repatriation

Kuwait

- Official records Not a party to Hague Convention on Abolition of Legalization of Foreign Public Documents
- Business records 18 U.S.C. 3505/Unilateral Measures
- Search Warrants
- Serving Subpoenas
- Interviews
- Arrests and Repatriations

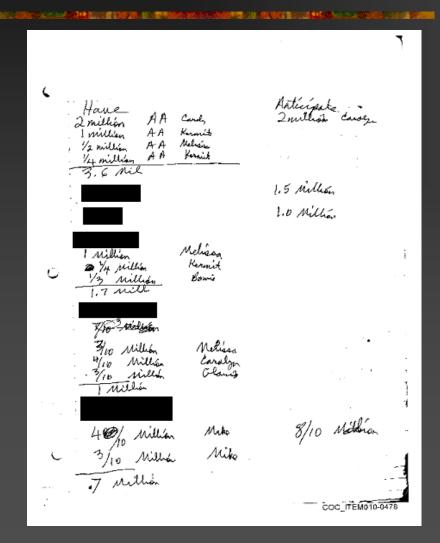
Afghanistan

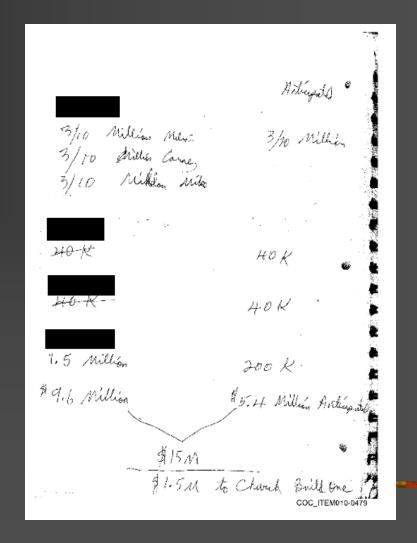
- Official Records Not a party to Hague Convention on Abolition of Legalization of Foreign Public Documents
- Business Records 18 U.S.C. 3505
- Search Warrants
- Serving Subpoenas
- Interviews

Major John Cockerham



Cockerham's Ledger





Runs in the Family

April 22, 16		۔ د د
Mrs. Sharon Miller Mrs. Sharon Miller	# 2,000,000.0 (4000 KD) B 13,600.0	0
Mrs. Felicia Hamilton Mrs. Felicia Hamilton	(67800 KB) \$ 330,520.0	00
Mrs. Julie Land shee	•	
Mh. 4 Mrs. Pastry	(100,000KD) \$ 340,000.	<i>2</i> 00
Ms. Destiny Carter	60,000.	Ø
Friends & Cowerker	\$ 40,000.	åO
Tatal	_ ± 3, 135, 120.c	<u>ි</u> ව
Balance	\$ 3, 135, 120.	De
		_
		_
Academi	((COTE) Species	•
	COC ITEM028-00	53

. A 175.	100
Debits	
Melissa's Trip to Kuwait	\$ 5000.00
-Melissis Brother	\$ 4000.00
Carolyn's 10%	\$ 313,512.00
Total Dibits	\$ 322,512.00
Balance Debits	# 3, 135, 120.00 # 3, 22, 512.00
Ending Balance	\$ 2,812,608.00
Ending Balance	\$ 2,812,608.00
ेस्टक;	lanear
THE AN ICH AND	- COC_ITEM028-0054

Cockerham's Crackerjack Decoder Ring

Ageld Carry Roma 2-40-593-248) Rihmal S. 7 65 432) 6237h54382,0

Fugitive Apprehension and Return

- Consent
- Bilateral Treaty
- International Obligation
- Domestic Law
 - Basis for Extradition
 - Basis for Expulsion, Deportation or Return
- Lures

Additional Considerations

- Nationality of individual
- Urgency
- Location
- Transit
- Other
 - Red Notice
 - Passport Revocation/Expulsion
 - Visa Cancelation

Iraq/Kuwait/Afghanistan

- Iraq
 - 1934 Treaty
 - Beginning to promote cooperative measures
 - Unilateral approaches
- Kuwait
 - No treaty
 - Cooperative measures
 - Seek transit authorization
- Afghanistan
 - No treaty, though have used UN instrument

Law Enforcement Operations

- Conformity with Local Law
 - Presumptively Reasonable
 - Coordination with DOJ, L/LEI, DOD, COM
- Search Warrants & Anticipatory Suppression Issue
- Joint Venture Doctrine
- Posse Commitatus
- Call in Advance

The Result

